

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**CHERYLL CLEWETT, STEVE BAUS,**  
and **AVATAR OJAR**, individually and on  
behalf of all others similarly situated,

*Plaintiffs,*

v.

**NATIONAL POLICE & SHERIFFS  
COALITION PAC, FRANK PULCIANI,**  
and **CAMPAIGN CALLING, LLC**

*Defendant.*

Civil Case No.: 1:22-cv-06032

**District Judge Andrea R. Wood**

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT  
AGAINST DEFENDANT NATIONAL POLICE & SHERIFFS COALITION PAC**

Plaintiffs Cheryll Clewett, Steve Baus, and Avatar Ojar ("Plaintiffs") request an order for the entry of default against Defendant National Police & Sheriffs Coalition PAC ("NPSC") pursuant to Rule 55 of the Federal Rules of Civil Procedure.

1. Plaintiffs Clewett and Baus filed the original Class Action Complaint on November 1, 2022, against NPSC as the sole Defendant, alleging violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 (the "TCPA"). Dkt. No. 1.

2. The summons to NPSC was returned executed on December 5, 2022. Dkt. No. 9.

3. On December 9, 2022, NPSC filed its answer. Dkt. No. 11.

4. Counsel for NPSC filed their appearances on December 29, 2022, and January 2, 2023.

5. Shortly thereafter, on March 3, 2023 and March 10, 2023 respectively, counsel for NPSC moved to withdraw representation. Dkt. Nos. 20, 21, 23. On March 13, 2023, Plaintiffs filed a motion for leave to file a First Amended Class Action Complaint, adding Plaintiff Avatar Ojar

and Defendants Campaign Calling LLC and Frank Pulciani. Dkt. No. 25.

6. The motions were granted by the Court at a telephonic hearing attended by counsel and the corporate representative of NPSC, Frank Pulciani on March 23, 2023. *See* Dkt No. 29. In pertinent part, the Court's Minute Entry of March 23, 2023 (Dkt. No. 29) stated:

Defendant National Police & Sheriffs Coalition PAC, which has already been served and has appeared through counsel shall answer or otherwise respond to the First Amended Complaint by 4/13/2023. [ . . . ] For the reasons stated on the record, Attorney Charles Nave's motion to withdraw as counsel for Defendant [23] is granted. The Clerk shall terminate the appearance of Charles Nave. Defendant National Police & Sheriffs Coalition PAC is reminded that a Defendant that is not a natural person cannot appear pro se and thus it should proceed expeditiously with finding new counsel.

7. As of the date of this filing, January 26, 2024, NPSC has failed to answer or otherwise respond to the First Amended Class Action Complaint.

8. Under Rule 55(a) of the Federal Rules of Civil Procedure, "when a party against whom a judgment for affirmative relief is sought had failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default."

9. Because NPSC has failed to plead or otherwise defend, as shown by the Court's docket, entry of default is warranted and appropriate.

Plaintiffs CHERYLL CLEWETT, STEVE BAUS, and  
AVATAR OJAR, individually and on behalf of all others  
similarly situated,

By: /s/ Jeffrey Blake

Thomas A. Zimmerman, Jr. (IL #6231944)

*tom@attorneyzim.com*

Jeffrey D. Blake

*jeff@attorneyzim.com*

**ZIMMERMAN LAW OFFICES, P.C.**

77 W. Washington Street, Suite 1220

Chicago, IL 60602

Tel: (312) 440-0020

Fax: (312) 440-4180

*www.attorneyzim.com*

Max S. Morgan  
*max.morgan@theweitzfirm.com*

Eric H. Weitz  
*eric.weitz@theweitzfirm.com*

**THE WEITZ FIRM, LLC**  
1515 Market Street, #1100  
Philadelphia, PA 19102  
Tel: (267) 587-6240  
Fax: (215) 689-0875

Elan N. Stone  
Davidovich Stein Law Group  
6442 Coldwater Canyon Avenue  
Suite 209  
North Hollywood, California 91606  
Tel: (818) 661-2420  
Fax: (818) 301-5131  
*elan@davidovichlaw.com*

Justin Nematzadeh PLLC  
Nematzadeh PLLC  
101 Avenue of the Americas  
Suite 909  
New York, NY 10013  
929.604.3181  
*jsn@nematlawyers.com*

*Counsel for Plaintiffs and the Proposed Class*

**CERTIFICATE OF SERVICE**

The undersigned certifies that on January 26, 2024, a true and correct copy of Plaintiffs' Motion For Entry Of Default Against Defendant National Police & Sheriffs Coalition PAC, will be served on all counsel of record through the Court's CM/ECF system and will be sent via U.S. First Class Mail to the following:

National Police & Sheriffs Coalition PAC  
c/o its authorized representative, Frank Pulciani  
4600 Kingfish Lane, #601  
Panama City Beach, FL 32408

Campaign Calling LLC  
c/o its registered agent, Cloud Peak Law, LLC  
1309 Coffeen Avenue, Suite 1200  
Sheridan, Wyoming 82801

/s/ Jeffrey Blake